

Statement, October 2024

AFTER FIVE YEARS: FOR SOLIDARITY WITH THE AFFECTED PERSON & AGAINST PERPETRATOR PROTECTION IN GOTHA

We wrote this text in support of the affected of a rape in Gotha in 2019 at Ju.W.E.L.

INTRODUCTION: What is the aim of this text?

This text is intended to support the affected person in finding closure with this experience of violence. It is intended to help her find peace of mind instead of having to justify, explain and defend herself under the constant pressure she is repeatedly subjected to. The text is intended to provide information about what happened in the aftermath of the assault, about the court proceedings - and about the continuation of violence by taking the perpetrator's space, by perpetrator protection, victim blaming as well as hostility and intimidation against the affected person and people in the Gotha scene in and around the Ju.W.E.L e.V. house.

The text does not address the assault itself. Previous publications, statements and declarations of solidarity are linked below the text. With this text, we call for solidarity between people and structures.

THE COURT PROCEEDINGS

The rape was tried in court on three dates between 2021 and 2023. The trial showed - as is so often the case - that the German justice system generally does not provide adequate protection and justice for those affected by patriarchal and sexualized violence. Often the only evidence of the assault is the testimony of the affected people themselves, which is not sufficient for a conviction. In Gotha, too, the perpetrator was acquitted in November 2023. In the meantime, anti-feminist actors have spread various false information about the trial and the affected person. This is another reason why we want to briefly report on how the trial actually went:

The court proceedings stretched out over more than two years, which in itself was an enormous ongoing burden for the affected person. The days in court were characterized by a tense and unpleasant atmosphere. Although there were people in the audience in solidarity with the affected person to support her and observe the trial, many of the perpetrator's supporters were also there and took up space.

However, (mainly male) court actors also made the trial an even more stressful experience than it already was. For example, one lay judge, who was appointed as an honorary judge alongside the professional judge for the proceedings, repeatedly acted in a recognizably amused manner during the trial - in the face of the assault and simply disrespectful towards the affected person. During breaks in the proceedings, he had cheerful, almost friendly conversations with the perpetrator's lawyer. Such behavior is unsettling and at the very least gives the impression of bias. After all, that lay judge was replaced by the court at the request of the affected person. The court staff were also conspicuous during the hearing for laughing and whispering, and the manner in which they interacted with those attending the trial was often gruff. Criticism and requests for sensitivity from supporters were waved off without understanding. All of this makes the experience in court even more unpleasant, stressful and unreasonable for those affected of patriarchal violence. Rather, it reinforces doubts about the neutrality and professionalism of the court. This underlines not least how important it is to support and accompany those affected in such proceedings in a spirit of solidarity.

By delaying the trial, the affected person was forced to testify a total of four times and give a detailed account of the violence that had befallen her. From the first trial date in May 2021, the perpetrator's lawyers pursued a consistently aggressive strategy in court. They questioned the affected person in a condescending, disrespectful and misogynistic manner, sometimes suggestively. The defence lawyer systematically attempted to pathologize the affected person and present her as untrustworthy. At times, the affected person was repeatedly and insinuatingly “asked” at least ten times about her alcohol consumption on the evening of the assault. Finally, the perpetrator's defense lawyer demanded a psychological expert opinion, which the affected person had to undergo. The proceedings were then suspended until further notice. The expert opinion was not finally prepared by a specialist psychologist for legal psychology commissioned by the court until April 2023 - more than three and a half years after the assault. It was not least the preparation of the expert opinion that caused a long delay in the proceedings.

The second trial date in October 2022, at which all witnesses and the expert witness were present, had to be canceled shortly after the start of the hearing because the perpetrator announced by telephone that morning that he had a positive Covid-19 test.

The acquittal took place on the third day of the trial in November 2023. At the end, the public prosecutor made it clear in her plea that she was not accusing the affected person of lying. The accusation could not be sufficiently proven by her memory. However, even the public prosecutor confirmed that something must have happened to the affected person that night in any case. The physical injuries documented and the statements of witnesses who had seen the affected person after the violence were apparently not enough. In the end, the perpetrator was acquitted.

This shows once again how difficult such a trial is for those affected: they are forced to disclose their most intimate details, while the perpetrator's refusal to testify is accepted. All the more reason to emphasize the strength with which the affected person has endured these court proceedings. In her last words during the trial, she emphasized:

'I know what you have done. You know that.

I am no longer afraid of you.

You can't hurt me anymore.

We are fully behind you. The outcome of the trial says nothing about the truth of what happened. We believe you.

THE SITUATION AND PROTECTION OF PERPETRATORS IN AND AROUND JU.W.E.L.

Even before the rape and the subsequent harassment of the affected person, the Ju.W.E.L. was characterized by physical and psychological violence by individuals against active and former residents, supporters and visitors. Sexist, homophobic and derogatory comments from the active environment were and are no exception. Instead of a transparent review of the association, people were manipulated and lied to. Victim blaming was practiced against those affected by sexual and physical violence. For many, the only option was to leave the project and move to other cities.

Five years have now passed since the rape in September 2019 - there is no sign of the transparency and investigation of the incident that the project announced.

As untruths about the incident and the course of the court case as well as defamation against the affected person are still being voiced from the project's environment, it can be assumed that neither

the perpetrator nor those around him have dealt with the scope and consequences of patriarchal violence to this day. Although one individual in the project has tried to raise the issue and initiate a corresponding reappraisal, there is a lack of willingness to engage honestly with the rest of the association. The impression persists that the problem of perpetrator-protecting structures should be kept out of the public eye in order to continue with the day-to-day work at Ju.W.E.L. undisturbed and comfortably.

Instead, the affected person was accused online of “psychological violence” and a “smear campaign” by members of the Ju.W.E.L. e.V. board because she criticized a hypocritical campaign for the “Day of Violence against Women”. She was right to criticize the Ju.W.E.L. if you consider, for example, how anti-feminist artists have been given a stage at the Ju.W.E.L. for years and at least one person who uses violence still lives there. Ultimately, the post in question was deleted by the association itself and further criticism was made impossible by excluding people from the online discussion.

The case we are writing about here is not an isolated one. Time and time again, those affected of sexualized violence are confronted with a lack of support from the project, while perpetrators are granted the same support. Affected people, their experiences and their demands are not taken seriously or are even belittled.

Ju.W.E.L. is not a safe space for those affected and as long as this does not change, it is an unsafe space for us all.

CALL FOR SOLIDARITY

There is a need for serious processing, no chance for patriarchal structures of violence!

In solidarity with the affected person, we ask people who have contact with the perpetrator: Distance yourselves from him, give him no space - no space for his allegations, his behavior, give him no space for his graffiti.

We ask all people: If we do not want such violence to be repeated again and again in our environments, it is our collective responsibility to make sure of it. Please be attentive. Believe the people affected, listen to them, don't leave them alone, support them. Stand by their side in solidarity against hostility and attempts at intimidation. Create and shape spaces together in which we can support each other and look out for each other.

To all affected people: You are not alone.

LINKS

Outcall of those affected from Gotha, published on 18.02.2020:

<https://de.indymedia.org/node/66772> (TW: sexualized violence)

Statement of the Ju.W.E.L., published on 24.02.2020:

<https://de.indymedia.org/node/67916>

The veto from Erfurt and the AK40 from Suhl as well as the AGST have expressed their solidarity with the circumstances:

veto: “Solidarity with the affected of the sexual assault at Juwel (Gotha)”, published on 15.04.2020:

<https://veto.blackblogs.org/2020/04/15/solidaritaet-mit-der-betroffenen-des-sexuellen-uebergrieffs-im-juwel-gotha/>

Antifaschistische Gruppen Südthüringen (AGST): “Solidarity with the comrades affected by sexualized violence in Thuringia!”, published on 09.07.2021:

<https://agst.noblogs.org/post/2021/07/09/solidaritaet-mit-den-von-sexualisierter-gewalt-betroffenen-genossinnen-in-thueringen/>

AK40: “Solidarity with the affected person from Gotha!”, published on 18.10.2021:

<https://ak40.noblogs.org/post/2021/10/18/solidaritaet-mit-der-betroffenen-aus-gotha/>